

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	:	CASE NO: 07-460
Plaintiff,	:	JUDGE CHRISTOPHER A. BOYKO
	:	
v.	:	
Lonnie Ray Kerestes	:	
	:	
	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
	:	

This matter comes before the Court on Defendant's Motion For Continuance of Pretrial and Trial Dates Based on the Interests of Justice. The Government does not object. For the reasons which follow, the Court grants the Motion.

Defendant was arraigned by the Court on 09/13/2007 . At the arraignment , the Court set the following dates: Final pretrial 10/10/2007, Trial 10/17/2007 .

The Court set this tight schedule because Defendant was arrested and initially appeared on 08/13/2007 and substantial time had already lapsed before Defendant was arraigned.

The Court recognizes that counsel needs time to analyze the case, conduct discovery, discuss options with the Defendant and the Government and otherwise prepare for trial. However, the Court, absent this Motion did not want to violate Defendant's and the public's right to a speedy trial.

The Defendant has understandably moved for a continuance to avoid a "miscarriage of justice" by allowing the Defendant and counsel "reasonable time necessary for effective

preparation...” See 18 U.S.C. §3161 (h)(8)(B)(i) and (iv). See also, United States v. Zedner, 126 S.Ct. 1976(2006).

For the foregoing reasons, the Court finds that the ends of justice served by the granting of the continuance outweigh the best interest of the public and defendant in a speedy trial pursuant to 18 U.S.C. § 3161 (h)(B)(8)(A).

Trial is scheduled for 12/17/2007 at 9:00, final pretrial is 12/10/2007 at 10:00 ; motions are due by 11/26/2007 and responses by 12/03/2007.

IT IS SO ORDERED.

/s/ Christopher A. Boyko

CHRISTOPHER A. BOYKO

UNITED STATES DISTRICT JUDGE

DATED: 10/09/2007